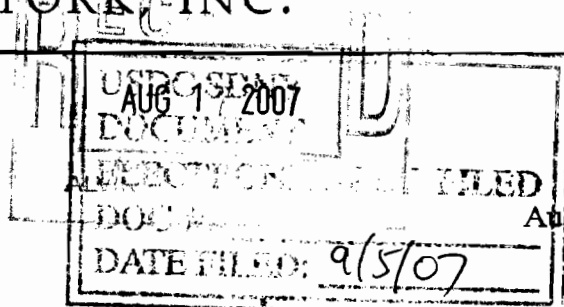


Federal Defenders OF NEW YORK, INC.

Southern District
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Leonard F. Joy
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Southern District of New York
John J. Byrnes
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BY FAX

Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street, Room 1050
New York, New York 10007

Re: United States v. Edward Baldini
06 Cr. 286 (AKH)
07

Dear Judge Hellerstein:

I write on behalf of my client, Edward Baldini, to respectfully request that Your Honor consider amending the judgment in Mr. Baldini's case to reduce the amount of restitution that he is required to pay before he serves his prison sentence. We ask that the judgment be amended to allow Mr. Baldini to make nominal \$25 restitution payments each month until he is released from prison custody, at which point he would begin making full restitution payments. Earlier today, I conferred with Assistant United States Attorney David O'Neil, who informed me that the Government has no objection to this request.

On August 14, 2007, the Court sentenced Mr. Baldini to three months in prison, followed by three years of supervised release (the first year to be served in home detention), restitution of \$103,230, and a \$100 special assessment. In imposing this sentence, Your Honor graciously agreed to allow Mr. Baldini to surrender to the Bureau of Prisons in one year's time so that he could save enough money to cover three months rent before serving his prison sentence. Your Honor also directed Mr. Baldini to begin making restitution payments at a rate of 15% of gross income, starting this month. At this rate, Mr. Baldini's restitution payment is \$270 a month.

After studying his finances, Mr. Baldini has come to realize that there is simply no way over the course of the next year that he can both save the \$2700 necessary to keep his apartment and make the required restitution payments. Mr. Baldini earns \$1800 a month, and he has the following monthly expenses:

- Rent – \$900
- Food, clothing and transportation – \$500
- Utilities and phone – \$150

Granted, but only to the extent that restitution payments shall begin on 8/30, 2007, and thereafter.
9/4/07
[Signature]

Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York

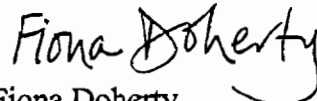
August 16, 2007
Page 2

Re: **United States v. Edward Baldini**
06 Cr. 286 (AKH)

Once these expenses are paid, Mr. Baldini can save approximately \$250 a month. In order to save the \$2700 necessary to keep his apartment, Mr. Baldini will have to put away \$225 a month for this purpose over the course of the next twelve months. If he does this, he simply cannot also make the required restitution payments of \$270 a month.

We therefore respectfully ask that Mr. Baldini be allowed to make nominal restitution payments of \$25 a month until he finishes his prison sentence. Once he is released, Mr. Baldini would work very hard to manage his finances so that he could make full restitution payments on the regular schedule. We also ask that Your Honor continue to direct that any interest payments on the restitution be waived unless and until Mr. Baldini fails to meet the required payment schedule.

Respectfully submitted,



Fiona Doherty
Attorney for **Edward Baldini**
212-417-8734

cc: Mr. David O'Neil, Esq.
Assistant United States Attorney (by fax)